



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Philippe ROUANET et al.
Title: PREVENTION AND TREATMENT OF BREAST
CANCER WITH 4-HYDROXY TAMOXIFEN
Appl. No.: 10/734,638
Filing Date: 12/15/2003
Examiner: Unassigned
Art Unit: 1615

**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed March 19, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

☒ Declaration and Power of Attorney (6 pages)

Any attached specification is a copy of the specification and any amendments thereto which were filed in the U.S. Patent and Trademark Office in order to obtain a filing date for the application.

☒ Return Copy of Notice to File Missing Parts

☐ Translation

☐ Drawings

☐ Preliminary Amendment

10/20/2004 HVUONG1 00000081 190741 10734638

04 FC:1255 2080.00 DA

- ☐ Claim for Convention Priority and certified copy of priority documents
- ☐ Information Disclosure Statement
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☐ Extension for response filed within the first month
☐ Extension for response filed within the second month
☐ Extension for response filed within the third month
☐ Extension for response filed within the fourth month
☒ Extension for response filed within the fifth month
- ☐ Other:

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$790.00	\$790.00
Total	38	- 20	= 18	x \$18.00	= \$324.00
Claims:					
Independent	3	- 3	= 0	x \$88.00	= \$0.00
nts:					
If any Multiple Dependent Claim(s) present:				+ \$300.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of				+ \$130.00	= \$130.00
Executed Declaration and late payment of filing fee					
<input checked="" type="checkbox"/> Extension fee for response filed within the fifth				+ \$2,080.00	= \$2,080.00
month:					
				SUBTOTAL:	= \$3,324.00
<input type="checkbox"/> Small Entity Fees Apply (subtract 1/2 of above):					= \$0.00
				TOTAL FILING FEE:	= \$3,324.00
				TOTAL FEE	= \$3,324.00
Difference to pay:				- \$0.00	- \$3,324.00

☐ Check in the amount of \$3,324.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

☒ Please charge Deposit Account No. 19-0741 in the amount of \$3,324.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 19 October 2004

By S. A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
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Stephen A. Bent
Attorney for Applicant
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/734,638	12/15/2003	Philippe Rouanet	029488-0113

22428
FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007



CONFIRMATION NO. 9056

FORMALITIES LETTER



OC000000012145239

Date Mailed: 03/19/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/20/2004 HVUONG1 00000081 190741 10734638

01 FC:1001 790.00 DA
02 FC:1051 130.00 DA
03 FC:1202 324.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$324 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1224 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$324

- \$324 for 18 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

T. TU
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE